



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF  
AIR AND RADIATION

**MEMORANDUM**

SUBJECT: Updated Recusal Statement

FROM: Anne L. Idsal  
Principal Deputy Assistant Administrator

*Anne L. Idsal 5/15/19*

TO: William L. Wehrum  
Assistant Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own bar obligations. This recusal statement reiterates my existing and ongoing ethics obligations as described in my July 24, 2018 recusal statement for my prior position as the Regional Administrator for Region 6.

*FINANCIAL CONFLICTS OF INTEREST*

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics about my family's closely-held corporation, **Idsal Family Properties Management**. I will continue to have a financial interest in this entity but receive only passive income from it. I will not participate personally and substantially in any particular matter that will have a direct and predictable financial effect on the financial interest of Idsal Family Property Management, unless I first obtain a written waiver from the Office of General Counsel pursuant to Section 208(b)(1).

Unless I am authorized to participate by the Office of General Counsel (OGC), I am

disqualified from participating in any particular matter involving specific parties in which the following entity is a party or represents a party:

NAME OF ENTITY	DATE WHEN RECUSAL ENDS
Valley Crossing Pipeline	Continues for as long as I have an interest in a pipeline easement with this entity.

#### *OBLIGATIONS UNDER EXECUTIVE ORDER 13770*

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I have ethics obligations with respect to any former employer during the preceding two years, as well as any organization in which I held a fiduciary duty. For purposes of this restriction, the entities that fall within the prohibition are the Texas General Land Office (TX GLO) and the Leukemia & Lymphoma Society.

The Executive Order provides more restrictions than the federal ethics rules, but I am advised by OGC/Ethics that these additional restrictions contained in the Executive Order regarding the TX GLO as my former employer do not apply to me. The definition of “former employer” in the Executive Order excludes state government.<sup>1</sup> Therefore, OGC/Ethics has confirmed that I am not subject to the additional Executive Order restrictions regarding former employers for the TX GLO.

I understand that I am prohibited from participating in any particular matter involving specific parties in which the **Leukemia & Lymphoma Society** is a party or represents a party. My recusal lasts for two years from the date that I joined federal service so will end after December 17, 2019. I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means that the meeting should include a multiplicity of parties, representing a diversity of viewpoints. If my former employer is present, then I understand that, generally speaking, at least four other parties should be present to ensure that a diversity of viewpoints is represented and not the same united perspective.

#### *ATTORNEY BAR OBLIGATIONS*

Pursuant to my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially, unless my bar provides for and I first obtain informed consent and notify

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<sup>1</sup> See Exec. Order 13770, Section 2(j), which provides that “‘former employer’ does not include ... State or local government.”



OGC/Ethics. Although I had previously recused myself as a prudential matter from participation in the **Texas Regional Haze 5 Year Program Report** and the **Texas SO2 Transport SIP**, I have now received confirmation from the General Counsel of the Texas Commission on Environmental Quality (TCEQ) that I did not participate substantially in these particular matters while at TCEQ. Therefore, they and OGC/Ethics have no objections to my participation in any future decisions regarding these two particular matters.

#### *SCREENING ARRANGEMENT*

In order to ensure that I do not participate in matters listed below, I will instruct Josh Lewis, Chief of Staff, to assist in screening EPA matters directed to my attention that involve those matters. To help ensure that I do not inadvertently participate in matters from which I am recused, I am directing Mr. Lewis to seek the assistance of OGC/Ethics if he is ever uncertain whether I may participate in a matter. All inquiries and comments involving the entities on my recusal list should be directed to Mr. Lewis without my knowledge or involvement.

If Mr. Lewis determines, with input from OGC/Ethics as appropriate, that a particular matter will directly involve any of the matters described above, then he will refer it for action or assignment to another, without my knowledge or involvement. I will provide a copy of this memorandum to my principal subordinates and Justina Fugh, Director, Ethics Office.

#### *UPDATE AS NECESSARY*

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Elizabeth Shaw, Principal Deputy Assistant Administrator  
Clint Woods, Deputy Assistant Administrator  
David Harlow, Senior Counsel  
Josh Lewis, Chief of Staff  
Justina Fugh, Director, Ethics Office



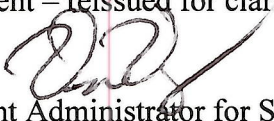
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAY 20 2019

OFFICE OF  
RESEARCH AND DEVELOPMENT

**MEMORANDUM**

SUBJECT: Recusal Statement – reissued for clarification

FROM: David Dunlap   
Deputy Assistant Administrator for Science Policy, ORD

TO: Jennifer Orme-Zavaleta  
Principal Deputy Assistant Administrator for Science, ORD

As you know, I previously issued a recusal statement on December 19, 2018. Since joining EPA, I have appropriately recused myself from participating in particular matters involving my former employer, Koch Industries, as well as any of its subsidiaries. I am issuing this clarification to make clear that my recusal does in fact extend to the subsidiaries.

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligations to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed.

*FINANCIAL CONFLICTS OF INTEREST*

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.



I have consulted with OGC/Ethics and I understand that I have an imputed financial interest with my spouse's employer, Sanofi. Thus, I will not participate personally and substantially in any particular matter that affects **Sanofi** as a specific party or as a member of an affected class, including any particular matter of general applicability that is focused on the **pharmaceutical sector**.

#### *OBLIGATIONS UNDER EXECUTIVE ORDER 13770*

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employer, **Koch Industries or any of its subsidiaries**, is a party or represents a party. I understand that my recusal lasts until after September 30, 2020, which is two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for purposes of this pledge obligation, the term "particular matters involving specific parties" is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term "open to all interested parties" means five or more parties who represent a diversity of interests rather than one shared perspective.<sup>1</sup>

#### *VOLUNTARY RECUSAL*

Although not necessarily required, I am voluntarily recusing myself from participation in any matters related to the **formaldehyde IRIS assessment** for the duration of my EPA tenure in order to avoid the appearance of any ethical concerns in my role as Deputy Assistant Administrator.

#### *SCREENING ARRANGEMENT*

In order to ensure that I do not participate in any particular matters from which I am recused, I will instruct Elizabeth Blackburn, Office of Research and Development Chief of Staff, to assist in screening EPA matters directed to my attention. All inquiries and comments involving my recusal should be directed to Elizabeth without my knowledge or involvement.

If Elizabeth determines that I am recused, then she will refer the matter for action or assignment to another, without my knowledge or involvement. In the event that she is unsure whether an issue is a particular matter from which I am recused, then she will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to my principal subordinates with a copy to Justina Fugh, Director, Ethics Office.

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<sup>1</sup> I understand that such meetings "do not have to be open to every corner, but should include a multiplicity of parties. For example, if an agency is holding a meeting with five or more stakeholders regarding a given policy or piece of legislation, [then I] could attend such a meeting even if one of the stakeholders is a former employer or former client." See Office of Government Ethics (OGE) Advisory DO-09-011 (3/26/09), which applies to Exec. Order 13770 pursuant to OGE Legal Advisory LA-17-03 (3/20/17).

*UPDATE AS NECESSARY*

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Bruce Rodan, Associate Director for Science, ORD  
Chris Robbins, Deputy Assistant Administrator for Management, ORD  
Elizabeth Blackburn, Chief of Staff  
Justina Fugh, Director, Ethics Law Office



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7  
11201 Renner Boulevard  
Lenexa, Kansas 66219

MAY 02 2019

**MEMORANDUM**

SUBJECT: Recusal Statement and Screening Agreement

FROM: Jonathan W. Hackett  
Renewable Fuels Advisor

A handwritten signature in black ink, appearing to read "Jon W. Hackett", is written over the printed name and title of the sender.

TO: James B. Gulliford  
Regional Administrator

I have consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own attorney bar obligations.

*FINANCIAL CONFLICTS OF INTEREST*

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that, apart from my spouse's employment, I do not currently have any financial conflicts of interest. I am recused from participating personally and substantially in any particular matter that would have a direct and predictable effect on my spouse's current employer, **Elanco** (formerly Eli Lilly). I will not participate personally and substantially in any particular matter that affects Elanco as a specific party or as a member of an affected class.

*OBLIGATIONS UNDER EXECUTIVE ORDER 13770*

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employer, **Renewable Energy Group, Inc.**, is a party or represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means that the meeting should include a multiplicity of parties representing a diversity of viewpoints. If my former employer is present, then I understand that, generally speaking, at least four other parties should be present to ensure a diversity of viewpoints is represented and not the same united perspective.

#### *ATTORNEY BAR OBLIGATIONS*

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matters that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

#### *SCREENING ARRANGEMENT*

In order to help ensure that I do not participate in matters subject to my recusal obligations, I have taken or will take the following steps:

1. I will provide the Deputy Regional Administrator with a copy of this memorandum so that he may understand the purpose and scope of my recusal obligations and this screening arrangement. In order to help ensure that I do not inadvertently participate in matters from which I am recused, I am requesting the Deputy Regional Administrator to seek the assistance of the Region 7 ethics team and/or OGC/Ethics if he is ever uncertain whether or not I may participate in a matter.
2. I will provide a copy of this memorandum to the Region 7 Senior Leadership Team. I will also request that all inquiries and comments involving matters that may be covered by my recusal obligations should be directed to the Deputy Regional Administrator for his review without my knowledge or involvement.

#### *UPDATE AS NECESSARY*

In consultation with OGC/Ethics or the Region’s ethics team, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you, R7’s Senior Leadership Team, OGC/Ethics, and R7 Ethics.

cc: Edward H. Chu, Deputy Regional Administrator, Region 7  
David Cozad, Regional Counsel, Region 7  
Mike Brincks, Assistant Regional Administrator, Region 7  
Mark Smith, Director, ARD, Region 7  
DeAndre Singletary, Acting Director, ECAD, Region 7  
Mary Peterson, Director, SEMD, Region 7  
Jeff Robichaud, Director, WD, Region 7  
Cecilia Tapia, Director, LSASD, Region 7



John Smith, Acting Director, LCARD, Region 7  
Leslie Humphrey, Deputy Regional Counsel, Region 7  
Justina Fugh, Director, OGC Ethics  
Karina Borromeo, Regional Ethics Counsel, Region 7  
Kate Clever, Regional Ethics Counsel, Region 7



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
Washington, D.C. 20460

OFFICE OF  
GENERAL COUNSEL

**MEMORANDUM**

SUBJECT: Recusal Statement

FROM: Kamila Lis-Coghlan  
Deputy General Counsel

A handwritten signature in black ink, appearing to read "Kamila Lis-Coghlan", is written over the printed name.

5/22/2019

TO: Matthew Z. Leopold  
General Counsel

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed, as well as my own attorney bar obligations.

*FINANCIAL CONFLICTS OF INTEREST*

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

*OBLIGATIONS UNDER EXECUTIVE ORDER 13770*

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am prohibited from participating in any particular matter involving specific parties in which my

former employer, **Covington & Burling LLP**, or any former client to whom I provided legal services during the past two years prior to my joining federal service, is a party or represents a party. Under the terms of the Ethics Pledge, this recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means that the meeting should include a multiplicity of parties representing a diversity of viewpoints. If my former employer or former client is present, then I understand that, generally speaking, at least four other parties should be present to ensure that a diversity of viewpoints is represented and not the same united perspective.

<b>RECUSAL LIST</b> <b>In effect until April 3, 2021</b>	
<b>FORMER EMPLOYER: Covington &amp; Burling LLP</b>	
<b>FORMER CLIENTS:</b>  Allergan Plc Ameris Bancorp Anne George Aristocrat Technologies, Inc. Athyrium Capital Management, LP Bacardi Group Boehringer Ingelheim Corp Bristol-Myers Squibb Company Chuwa Wool Industry Co., (Taiwan) Ltd Cognosante, LLC Colbeck Capital Management, LLC DiamondRock Hospitality Company Donna Bernstein Elbit Systems Limited Eli Lilly and Company Énergir, L.P. Essent US Holdings, Inc. GlaxoSmithKline Gloo US Holdings Inc. Graham Holdings Company Horizon Discovery Limited IFM Therapeutics, Inc. IHI Inc. Jody Kesner	Microsoft Corporation Minnehaha Academy Nichirei Biosciences Inc. OCP S.A. Olympus Corporation; Olympus Corporation of the Americas Oxford Immunotec Global PLC PCS Phosphate Company, Inc. Pentwater Capital Management Piramal Enterprises Limited PointState Capital LP PPC Enterprises LLC Precourt Sports Ventures, LLC REGENXBIO Inc. Republic Services, Inc. Rogers Corporation Sanofi Saudi Arabian Oil Company SK Holdings Spear Pharmaceuticals, Inc. Stagecoach Group PLC Stryker Corporation Systems Management Group, LLC TE Connectivity Corporation



Jody Rosoff King Street Capital Management, L.P. Marathon Asset Management, LP Medline Industries, Inc. Merck & Co., Inc. Mexichem, S.A.B. de C.V.	The Capstreet Group, LLC The DC Appleseed Center for Law & Justice Tidewater Logistics Corporation TSI Incorporated Weigel Broadcasting Company
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#### *ATTORNEY BAR OBLIGATIONS*

Pursuant to my obligations under my bar rules, I recognize that I am obliged to protect the confidences of my former clients. I also understand that I cannot participate in any matter that is the same as or substantially related to the same specific party matter that I participated in personally and substantially while in private practice, unless my bar provides for and I first obtain informed consent and notify OGC/Ethics.

#### *SCREENING ARRANGEMENT*

In order to ensure that I do not participate in matters relating to any of the entities listed above, I will instruct Elise Packard, Acting Deputy General Counsel, and Justin Schwab, Deputy General Counsel, to assist in screening EPA matters directed to my attention that involve those entities. All inquiries and comments involving the entities on my recusal list should be directed to Elise and Justin without my knowledge or involvement.

If Elise or Justin determine that a particular matter will directly involve any of the entities listed on my recusal list, then they will refer it for action or assignment to another, without my knowledge or involvement. In the event that they are unsure whether an issue is a particular matter from which I am recused, then they will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to Justina Fugh, Director, Ethics Office.

#### *UPDATE AS NECESSARY*

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: David Fotouhi, Principal Deputy General Counsel  
Elise Packard, Acting Deputy General Counsel  
Carol Ann Siciliano, Acting Deputy General Counsel  
Justin Schwab, Deputy General Counsel  
Joseph Brazauskas, Associate Deputy General Counsel  
Robert Stachowiak, Acting Associate Deputy General Counsel  
Justina Fugh, Director, Ethics Office  
OGC Associate General Counsels and Directors  
Regional Counsels